

IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF OHIO
WESTERN DIVISION

TASH CASSO, etc.,

Plaintiff,

Case No. 1:11 oe 40006

-vs-

MEMORANDUM OPINION
AND ORDER

ORTHO-MCNEIL PHARMACEUTICAL,
INC., et al.,

Defendants.

KATZ, J.

In an order dated March 24, 2014, this Court granted in part and denied in part Defendants' motion for judgment on the pleadings. (Doc. 57). In denying the motion, the Court rejected Defendants' argument that Plaintiff's complaint contains insufficient factual allegations such that it amounts to the sort of formulaic recitation of the elements precluded under *Bell Atl. Corp. v. Twombly*, 550 U.S. 544, 555 (2007). Contrary to Defendants' argument, this Court found Plaintiff's complaint contained sufficient factual allegations to satisfy Fed. R. Civ. P. 8(a)'s pleading standard.

Defendants now move for reconsideration pursuant to Fed. R. Civ. P. 54(b) and *Rodriguez v. Tenn. Laborers Health & Welfare Fund*, No. 02-5601, 89 F. App'x 949, 959 (6th Cir. 2004). Defendants contend this Court's finding, that Plaintiff's complaint satisfies Rule 8(a)'s pleading standard, is at odds with this Court's ruling in *Hanhan v. Johnson & Johnson*, No. 1:11-oe-40007, 2013 WL 5939720 (N.D. Ohio Nov. 5, 2013). In that case, this Court found Plaintiff's complaint did not contain sufficient factual allegations to satisfy Rule 8(a). *See id.*, 2013 WL 5939720, at *4.

This Court has reviewed the parties' arguments, as well as Plaintiff's complaint in this case. For the same reasons stated in this Court's March 24, 2014 order, (Doc. 57), the Court again finds that the surviving claims in Plaintiff's complaint state sufficient factual matter to satisfy Rule 8(a). Accordingly, Defendants' motion for reconsideration is denied. (Doc. 60).

IT IS SO ORDERED.

S/ David A. Katz
DAVID A. KATZ
U. S. DISTRICT JUDGE